



W.P.(MD)No.19487 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.19487 of 2024

and

W.M.P(MD)Nos.16541 & 16544 of 2024

Jayakumar

... Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
CDMA Tower-II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai – 600 008.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation
(TASMAC) Limited,
Trichy.

3.The District Manager,
Tamil Nadu State Marketing Corporation
(TASMAC) Limited,
Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 3rd respondent in Na.Ka.No.484/2024/A-1 dated 25.06.2024 and quash the same and consequently direct the respondents to reinstate the petitioner into service.



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For Petitioner : Mr.K.Navaneetharaja

For Respondents : Mr.H.Arumugam
Standing Counsel

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ORDER

The instant writ petition has been filed by a Sales man of TASMACH shop, challenging the order of suspension dated 25.06.2024.

2.A perusal of the suspension order reveals that the petitioner along with others had sold the liquor beyond the permitted time on 21.06.2024 and he had permitted the third parties to conduct the sales within TASMACH shop.

3.According to the learned Counsel appearing for the writ petitioner, he was on leave on 21.06.2024 and 22.06.2024 and the same has also reflected in the attendance register. Therefore, the allegation as against him is completely false. However the learned Standing Counsel appearing for TASMACH has brought to the notice of the Court that an FIR has been registered as against the writ petitioner for the above said incident and the petitioner has been placed under suspension, not only for his involvement on 21.06.2024, but also for bringing a third party as salesman to the shop.



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4.It could be seen from the records that the petitioner has been issued with charge memo on 11.07.2024 and he has submitted his explanation on 19.07.2024 and enquiry officer has been appointed and he has also issued a notice to the parties concerned.

5.In the said circumstances, this Court is of the considered opinion that there are no grounds to interfere in the order of suspension. There shall be a direction to the respondent authorities to complete the enquiry within a period of four weeks from the date of receipt of a copy of this order after giving due opportunity to the writ petitioner.

6.With the above said observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

19.08.2024

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NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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WEB COPY

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R.VIJAYAKUMAR, J.

RJR

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